In the present invention as recited in amended claim 5, the rotational speed of the driving means is decreased when the shuttle is accelerated toward the shed and when the shuttle is *decelerated* after passing through the shed. Similarly, in the present invention as recited in claim 1, the rotational speed of the driving means during acceleration of the weft thread toward the shed by means of rotation of the driving means and during deceleration of the weft thread passed through the shed by means of rotation of the driving means is *lower* than the rotational speed of the driving means during passing of the weft thread through the shed by means of rotation of the driving means. When the rotation speed of the driving means is varied in this manner, the shock force applied to the weft thread is decreased.

In contrast, Moessinger states at column 3, lines 56-58 and 65-69:

> The shuttle, being slowed down by the friction of the thread, will lose speed while passing through the shed.... The shuttle taken by this [reception] drum is ejected in the return channel at 8 at the speed the drum will have at that time. This speed will be chosen so that the shuttle will arrive on the drum of ejection at the same time point 11, as if the shuttle had not been slowed down (line 17).

Moessinger goes on to say at column 4, line 70 - column 5, line 2:

> When the shuttle passes through the shed 57 the speed of the shuttle may be decreased because of the tension of the weft thread and the frictional engagement with the warp threads. When the shuttle again passes into contact with the drum 30, the speed of the drum 30 in respect to its swinging movement is such that it can compensate the loss of speed, respectively loss of time, of the shuttle through the shed.

Moessinger's goal is to have the shuttle arrive at the drum of rejection at such time as if it had not been slowed during its passage through the shed. Moessinger accomplishes this goal by *increasing* the speed of the drum 30, and thus the speed of the shuttle, after the shuttle passes through the shed. In Moessinger, the shuttle is *accelerated* after passing through the shed, whereas

in the present invention, the shuttle is *decelerated* after passing through the shed. In other words, Moessinger *teaches away* from the claimed invention.

Where the prior art *teaches away* from the claimed invention, it cannot render the claimed invention obvious. *Bausch & Lomb v. Barnes-Hind/Hydrocurve, Inc.*, 796 F.2d 443, 230 USPQ 416, 420 (Fed. Cir. 1986), *cert. denied*, 484 U.S. 823 (1987); *In re Gordon*, 221 USPQ 1125, 1127 (Fed. Cir. 1984). Consequently, it is respectfully submitted that the invention as recited in independent claims 1 and 5, and in the claims depending therefrom, is patentable over Moessinger, and that the rejection should be withdrawn.

Claims 3, 4, 7, and 8

On page 4 of the Office Action, claims 3, 4, 7, and 8 were rejected under section 103(a) as being unpatentable over Moessinger in view of Tanaka. This rejection is respectfully traversed.

In the Office Action, Tanaka was cited as teaching the use of an inverter to vary the speed of an electric motor and a limit switch to initiate the speed variation. However, even if Moessinger were modified to incorporate such a teaching, Moessinger would still teach away from *decelerating* the shuttle after passing through the shed. Consequently, it is respectfully submitted that the invention as recited in independent claims 3, 4, 7, and 8 is patentable over Moessinger in view of Tanaka, and that the rejection should be withdrawn.

Conclusion

All rejections have been complied with, properly traversed, or rendered moot. Thus, it now appears that the application is in condition for allowance. Should any questions arise, the Examiner

is invited to call the undersigned representative so that this case may receive an early Notice of Allowance.

Favorable consideration and allowance are earnestly solicited.

Respectfully submitted,

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